

REMARKS/ARGUMENTS

The rejections presented in the Office Action dated January 30, 2009 (hereinafter Office Action) have been considered. Claims 1-7, 11-23, and 26-40 remain pending in the application. Reconsideration of the pending claims and allowance of the application in view of the present response is respectfully requested.

1. Claims 23 and 25 are rejected based on 35 U.S.C. §101 as being directed to a non-statutory subject matter.

Applicants respectfully traverse the rejection. However, in order to facilitate prosecution of the application and in a *bona fide* attempt to advance the application to allowance, the Applicants have amended Claim 23 to recite “computer-readable storage medium” per the Examiner’s comments on page 4, paragraph 5 of the Office Action. Claim 25 has been canceled without prejudice or disclaimer, rendering the rejection of this claim moot. Withdrawal of the rejection is therefore respectfully solicited.

2. Claims 1-25 are rejected based on 35 U.S.C. §102(e) as being anticipated by U.S. Publication No. 2004/0224702 by Chasker (hereinafter “Chasker”). Claims 1-25 are rejected based on 35 U.S.C. §102(e) as being anticipated by U.S. Publication No. 2005/0136949 by Barnes Jr. (hereinafter “Barnes Jr.”). Claims 1-25 are rejected based on 35 U.S.C. §102(e) as being anticipated by U.S. Publication No. 2005/0136946 by Trossen (hereinafter “Trossen”).

Applicants respectfully traverse the rejection. However, in order to facilitate prosecution of the application and in a *bona fide* attempt to advance the application to allowance, the Applicants present this response with amendment. For example, independent Claim 1 has been amended to recite that location criteria and a search keyword are included in a Web content request from the mobile terminal. Filtered results are received from the Web content request according to the search keyword and the location criteria to form position relevant Web content at the mobile terminal. The position relevant Web content is stored in a location bookmark area of the mobile terminal. The location bookmark is periodically updated in response to a relative position of the mobile terminal. Independent Claims 15, 21 and 23 have been similarly

amended. These amendments are fully supported in the Application as filed (e.g., originally filed Claims 8-10).

Applicant further submits that the amendments to Claims 1, 15, 21 and 23 make express features recited in original claims 8-10 (e.g., storing position relevant Web content in a location bookmark area). These features, therefore, have been considered by the Examiner and were subject to search in the present Office Action. Hence, the Examiner's next official communication can not be made final on the basis that Applicant's amendments to the claims necessitated a new grounds of rejection requiring further consideration and/or a new search. Applicant respectfully submits that any subsequent Office Action based on new grounds of rejection must be presented as a non-Final Office Action.

Applicants respectfully submit that the pending claims are patentable over the art of record and are in condition for allowance. None of Chasker, Barnes Jr., or Trossen discloses the storage of location bookmarks as set forth in Claims 1, 15, 21, 23. For example, in the rejection of now cancelled Claim 10, pages 3, 5 and 3 of Chasker, Barnes Jr., and Trossen, respectively, were relied upon to show storing position relevant Web content in a location bookmark area of the mobile terminal. However, none of these pages make any express or inherent suggestion of a location bookmark. In fact, a word search of all of these references reveals that the word "bookmark," "book mark," or the like, is not even used in any of these references. Accordingly, independent Claims 1, 15, 21, and 23 as currently amended are not anticipated by any of Chasker, Barnes Jr., or Trossen.

The rejection of Claims 8-10 and 24-25 is now moot in view of the cancellation of these claims without prejudice or disclaimer. Dependent Claims 2-7, 11-14, 16-21, and 22 depend respectively from independent Claims 1, 15 and 21, and were also all rejected as separately anticipated by each of Chasker, Barnes Jr., and Trossen. While Applicants do not acquiesce with the particular rejections to these dependent claims, including any assertions concerning inherency or the taking of Official Notice, these rejections are now moot in view of the remarks made in connection with independent Claims 1, 15 and 21. These dependent claims include all of the limitations of the base claim and any intervening claims, and recite additional features which further distinguish these claims from Chasker, Barnes Jr., and Trossen. Therefore, dependent Claims 2-7, 11-14, 16-21, and 22 are also in condition for allowance.

Applicants bring to the Examiner's attention newly added dependent Claims 41-43. These claims are fully supported in the Application as filed (e.g., Specification at 0065-0067) and no new matter has been added. These claims are allowable over the art relied upon in the rejections at least because of their respective dependence from Claims 1, 21, and 23.

It is to be understood that the Applicants do not acquiesce to the Examiner's characterization of the asserted art or the Applicant's claimed subject matter, nor of the Examiner's application of the asserted art or combinations thereof to the Applicant's claimed subject matter. Moreover, the Applicants do not acquiesce to any explicit or implicit statements or conclusions by the Examiner concerning what would have been obvious to one of ordinary skill in the art, obvious design choices, alternative equivalent arrangements, common knowledge at the time of the Applicant's invention, officially noticed facts, and the like. The Applicants respectfully submit that a detailed discussion of each of the Examiner's rejections beyond that provided above is not necessary, in view of the clear absence of teaching and suggestion of various features recited in the Applicant's pending claims. The Applicants, however, reserve the right to address in detail the Examiner's characterizations, conclusions, and rejections in future prosecution.

Authorization is given to charge Deposit Account No. 50-3581 (NOKM.092PA) any necessary fees for this filing. If the Examiner believes it necessary or helpful, the Examiner is invited to contact the undersigned attorney to discuss any issues related to this case.

Respectfully submitted,
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